

**Sunset City Corporation**  
**City Council Minutes**  
**June 4, 2013**  
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Minutes of a regular meeting held June 4, 2013 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

**REGULAR SESSION**

**Mayor and Council Present:**

Chad Bangerter	Mayor
Ryan Furniss	Council Member
Brent Andrews	Council Member
Ricky Carlson	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Norm Noyes	Public Works Director

**Others Present:**

Terry Avondet	Sunset Citizen Corps
Sydney Furniss	Mark Sessions
Thomas Reed	

The meeting was called to order at 6:30 p.m. by Mayor Bangerter.

Council Member Carlson gave the invocation and led the Pledge of Allegiance.

**Approval of Minutes:** Council Member Furniss made a motion to approve the minutes of May 21, 2013 as presented. Council Member Andrews seconded the motion. The motion passed unanimously.

**Public Comments:** Thomas G. Reed said he lives in Roy but has owned a house in Sunset since 1982. He has always rented to military members and made sure they kept the home and yard up. He is keeping it for his son, who is overseas, when he retires in a few years. He was surprised when he received the notice for a rental license without knowing it was being discussed. He read about other cities doing it a couple years ago and he thought if you only had one rental it was exempt and was only for people who made a business out of it with 3 or 4 rentals. It irks him to have to pay these fees when he is not a businessman. He keeps his rent low for the GIs and does not want to raise the rent to pay these fees because it penalizes them. If he would have known they were discussing the issue he would have been in sooner to voice his opinion. He is disappointed in it being passed. After driving through the City he sees a lot of places that need to be cleaned up and he hopes it is renters and not property owners who are letting their places go. He would like them to reconsider an exemption for single home landlords.

Sidney Furniss advised the Youth City Council is going to contact Wal-Mart to ask for a donation for their organization. They will be getting t-shirts and pay for them with fundraisers. They would like to work the Pepsi trailer during Fun Days and they would like to have a dunk tank also. They will ask the City Officials, Fire Fighters and Police Officers if they would consider participating.

- 1. Discuss possible exceptions to Sunset City Ordinance 3-11-4 Better Landlord Program Participation Requirements:** Mark Sessions said he lives in West Point and only has one rental home in Sunset. He believes there should be exceptions to the landlord ordinance. He could probably teach the Better Landlord class because he has done law enforcement for 35 years. He has done background checks for the Commission of Public Safety and on about 10,000 suspects. He was in charge of code violations as a Detective Sgt. in Syracuse. The person he rents to keeps the house and yard in pristine condition. He is personal friends with the renter so visits him one to three times a month. The Better Landlord company teaching the class has no way to know if a person has learned anything because there is no testing. He believes the money should be going to law enforcement to teach the class because they know who the renters are and it would give them a great opportunity to get to know the landlords. His renter has been living in the home about 16 years and he can guarantee there have been no violations. He believes there should be an exemption made for those who can pass a test without taking the Better Landlord training. He also did not receive a notice and had no knowledge this program was even being discussed. He cannot sit for more than 1 ½ hours due to medical problems so he would have to pay the higher fee.

Council Member Furniss said this has already been passed. He is sympathetic to Mr. Sessions' cause, but he is concerned about setting precedence. The Council did their due diligence and publicized their agendas in a public newspaper and on the City's website so he does not believe no knowledge is a valid argument. Being a homeowner in the City he would want to know what is going on and would watch the City's agendas to see if there is anything that is going to affect his property. He is concerned with Mr. Sessions saying he would not learn anything in the class and asked Mr. Sessions if he had ever taken one of the classes. Mr. Sessions said he has not, but he questioned them on what they would be teaching. Council Member Furniss believes he can learn something about every day if he tries and they might have some skills and tools Mr. Sessions is not aware of. Unfortunately, when an ordinance is passed it is for the majority and there are some landlords who have no idea what is going on at their rental. He feels they have to enforce the ordinance for everyone because once they make one exception they may have many, many more requests. Council Member Snow said the class will be offered online so the landlord could do it at their convenience and not have to sit through a four-hour class if they choose. As to having the police conduct the class, he believes it has to be an outside agency conducting the class. Mayor Bangerter said Mr. Sessions has made good points and the Council probably should have sent notices to the landlords, but they have been trying to get this program going for a lot of years and have been financially unable to do so until now. The City is approaching almost half of the homes being rentals and it is becoming a problem. They feel the Better Landlord Program is a way of curbing a potential bad situation. There are some exceptions, such as Mr. Sessions, that are good landlords. He will look into the possibility of testing out of the class, like the colleges do and being able to take the class over the internet. Council Member Furniss read a

portion of State Code 10-1-203.5(1)(f) “....offering a disproportionate rental fee reduction for any landlord who: (i)(A) completes a landlord training program provided by the municipality; or (B) is an exempt landlord; (ii) implements measures to reduce crime in rental housing as specified in a municipal ordinance or policy; and (iii) operates and manages rental housing in accordance with an applicable municipal ordinance.” The City is complying with that code in offering a class for landlords to take and it does not say anything about requiring a test. Mayor Bangerter said they feel this program will help the City with rundown rentals; not solve the problem, but reduce it.

2. **Discussion and possible approval of bid for park restroom remodel:** Public Works Director Noyes advised four doors need to be replaced in two park restroom facilities at a cost of about \$7,000. This agenda item is to advise the Council and receive approval to move forward with just that portion of the remodel. Two of the doors at North Park also need to be widened to make them ADA accessible; the other is a storage room door. The middle door needs to be replaced in the restroom facility at South Park. He has received three bids from \$6,400 to \$7,100. The \$7,100 bid included painting and trim work, but he has decided the employees can do that. He would like to accept the \$6,490 bid by Valley Glass and includes top cutting the concrete/brick wall and installing the larger doors. At the last meeting the Council decided to have him just fix the doors and discuss remodel or total replacement of the buildings at a later time. The doors have to be replaced even if they only want to get a couple more years out of the restrooms. They discussed borrowing the money to replace the restrooms with residents who will be using them for years making the payments, using the revenue off the billboard lease to cover most of the payments and maybe only replacing one restroom at a time. It is extremely important to at least replace the door at South Park even if they decide to hold off on remodeling or replacing for a few months.

Council Member Furniss made a motion to only replace the door at the South Park restroom facility and to table the rest until they hold a work session. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Andrews, Furniss, Peterson, Snow and Carlson all voting yes.

3. **Discussion and possible approval of repairing and painting the bridge at the City Building:** Public Works Director Noyes said this project has been included in the FY2014 budget, but thought maybe they could amend the FY2013 budget and do it before July. However, he recently learned the contractor cannot do the project until July anyway. He has received three bids to sand blast the bridge structure, clean it up, put a good epoxy coating on it, clean up the concrete where needed and sealing the concrete. The highest one at \$18,468 included sandblasting the railing or was \$3,312 less if the railing was not included. He was not comfortable with the \$9,200 bid after questioning them and is most comfortable with the \$11,428 bid, which is from a good reputable company. Director Noyes was asked to scan and email a copy of the bids to the Mayor and Council and they can discuss it at a work meeting.

Council Member Snow made a motion to table this item. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Andrews, Furniss, Peterson, Snow and Carlson all voting yes.

4. **Council Member reports and general information:** Council Member Peterson said he would like the City parks worked on.

Council Member Snow said he is glad to see some people in the audience concerned about the community. It is also time to crack down on the weed and junk violators.

Council Member Andrews thanked the employees and citizens for being at the Council meetings. He hopes they will look at the big picture for the City 30 or 40 years in the future in deciding what they want to have in the parks. It bothers him when people say they don't have anything to contribute because everyone has something they can contribute. Maybe the Council needs to take a look at themselves and start doing their jobs. He wonders what they are doing for the City, if they are just getting by and taking pay check or if they are actually trying to improve the City. He applauded Mayor Bangerter for taking his own equipment to clean up a blighted yard.

Police Chief Eborn advised there was another train fatality north of 2300 North. He is concerned with the amount of those in the area and in hearing Front Runner train conductors say they have labeled the stretch through Sunset as "suicide alley". He suggested possibly drafting a letter to the UTA with the City's concerns with the labeling and maybe request they consider slowing the Front Runner through the area to a speed where they can stop when they see a person on the tracks for a time until the problem goes away. It may be one or two years, but when people realize this is no longer a place they can go to commit suicide, maybe it will stop. He does not think they will agree to do that, but it might be a way to open communications and come to some solution for the problem. He has had the press ask him if he can put up suicide prevention signs at the crossings, but he believes the signs would be too late because if someone is already there and bent on doing that they will disregard any signs or fences. He believes the signs would be fluff and make the public feel good, but do nothing toward actual prevention. As a Police Department, they have taken a no tolerance stance and cite people they see on the tracks for trespassing, but he does not think that will curb the problem and believes slowing down the trains would. The Front Runner travels at 79 mph through Sunset and takes the length of the City to get stopped. He would like to get them slowed down to about 25 mph so they can see a person and have time to stop. Council Member Furniss said there is a crises unit at the U of U hospital and he wondered if they could get together with them and UTA to brain storm because there may be some things they can do they haven't thought of yet. Chief Eborn said he would reach out to them and let them know. As a City they can't sit back and just clean up after the fact; there has to be something everyone together can do to slow it down. On another matter, Chief Eborn reported today two large trucks carrying wide loads misjudged their height and hit the traffic light at 1800 North. They were lucky that UDOT had a crew about two blocks away and were able to fix the problem very quickly. The Police Department has parked a police car at the home where a major drug bust happened to deter people who were maybe past customers from going over there. It will be there a few more days.

Public Works Director Noyes said the Fun Days celebration is being planned and a schedule of events flyer will be on the City's webpage in a few days. Council Member Furniss asked if the Youth City Council can pick up the dunk tank on the Friday before with a Public

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Works truck. Director Noyes said to get with him and they would get something arranged. Finally, power will be installed at the stage so they won't have to run cords any longer. He advised the weeds they take care of will be mowed down soon.

Treasurer/Office Manager Youngdell advised the regular recycling cans are in the process of being delivered and several residents who failed to opt out on time have called wanting to opt out now. They are putting their names, addresses and phone numbers on a list to be given to Mayor Bangerter, who will contact them. In about two weeks the green waste cans will be delivered. It was supposed to happen at the same time, but Wasatch Integrated didn't order the cans as soon as Econo Waste did. The July newsletter will be mailed out instead of just placed online because it contains the Water Quality Report and information about Fun Days. She and Court Clerk Arbogast interviewed applicants for the open part-time position today and Judge Jensen will hopefully conduct interviews on Thursday, so they will have the position filled soon. When asked by Council Member Snow if he will allow those who haven't opted out of the recycling to opt out, Mayor Bangerter said the Council gave him the authority to do so, but he will try to convince them it is an important thing to do. Council Member Furniss said 'hats off' to Chrissy Weatherston because when he was in the office earlier, he could tell she was on the phone with someone who was berating her and she maintained her composure.

Fire Chief Coker said the Fire Department is working on activities for Fun Days and their annual open house and safety fair in September.

Mayor Bangerter advised Janet Lujan had been chosen as the Mother of the Year from Sunset. He took her and her family in the limousine to a dinner at the White House in Bountiful, where she was recognized as the Mother of the Year from Sunset. She has lived in the City a long time and has done a lot for the City. He received a thank you letter from her, which he has posted on the board by their boxes. He has not been able to get a decent picture of Lester Terry, who was the first Mayor of Sunset, to put on the Mayor's recognition wall. He would like to commission a local artist, Carter Reed, to paint a portrait from small pictures in newspaper articles. It would probably be less than \$200.00. He reminded everyone Friday is the deadline for Candidacy filing. He said the last train fatality was the son of a renter he has had for years and he actually worked for Mayor Bangerter for a while. He had been contemplating doing this for a while, so Mayor Bangerter asked everyone, in their busy lives, to try to be aware of those trying to talk to you because you never know what they are going through. He was 22 years old, a good kid and had a one year old. He was just having some marital problems and it is really sad he thought that was his only way out. He knows each one of these fatalities have devastated their families. Anything they can do as a City to try to prevent this is the thing to do.

Council Member Snow made a motion to go into the work session after a 10 minute break. Council Member Furniss seconded the motion. The motion passed unanimously.

**WORK SESSION**

**To discuss amendments to the FY2103 budgets and requests for the FY2014 budgets:**

They began with the FY2013 amendments. There were very few changes made since the first work session when they discussed it. Around \$65,000 should be added to the General fund balance at year end. Revenues should be up about \$32,000 and expenses should be down about \$24,000. The Utility Fund will see a decrease in revenues of about \$24,000 and expenses may be up about \$6,000. The other funds only had minor adjustments.

The FY2014 budget requests were discussed at length. The changes from the last work session were as follows: 1) \$500 will now be donated from the General Fund to the Youth City Council Fund and the Youth City Council contributions were reduced by \$500; 2) the billboard lease revenue of \$14,000 will be put back into the Economic Development Capital Project Fund to save for park restroom facilities; 3) the \$10,000 in Parks was moved to Non-Departmental to be transferred into the Public Works Capital Project Fund to save for future restroom facilities; 4) after an extensive discussion and a it was decided to cut the new truck from the Fire Department – Council Members Carlson, Peterson and Furniss voted to cut it and Council Members Snow and Andrews voted to keep it in the budget; and 5) the term on a new 1-ton truck for Public Works was increased to a 5-year lease/purchase instead of a 3-year lease/purchase to reduce the payment.

Council Member Peterson made a motion to go back into the regular session. Council Member Andrews seconded the motion. The motion passed unanimously.

Council Member Peterson made a motion to adjourn. Council Member Furniss seconded the motion. The motion passed unanimously.

The meeting adjourned at 10:00 p.m.

Approved – June 18, 2013.

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Chad Bangerter, Mayor

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Susan R. Hale, Recorder